

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/086,183 Confirmation No.: 8214
Applicant : Christer O. Andreasson
Filing Date : 02/26/2002
Title : SYSTEMS AND METHODS FOR TRACKING PHARMACEUTICALS
WITHIN A FACILITY
Group Art Unit : 2636
Examiner : Julie Bichngoc Lieu
Docket No. : 706737.38
Customer No. : 34313

Commissioner For Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Office Action dated April 19, 2006.

Submitted herewith is a Supplemental Declaration under Rule 37 CFR 1.131 by the inventors attesting to certain exhibits (Exhibits 1-6 and 10a) and events clearly establishing conception and diligence toward reduction to practice of the presently claimed inventions commencing January 5, 2001, and well prior to Chung Provisional Application No. 60/323,514 filed September 19, 2001. The cited Chung published patent application is based on numerous provisional applications as is clear on the face thereof. From a review of all of the Chung underlying applications, it is clear that the disclosure in Chung 2005/0110640 identified by the Examiner (e.g., Paragraphs 0041 – 0057, etc.) were first partially disclosed in the Chung provisional application No. 60/323,514 filed September 19, 2001. It is submitted that the previously filed declaration and the present Supplemental Declaration and Exhibits provide sufficient early evidence of the present apparatus and method for

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monitoring administration and medical products to a patient, and that the rejection of claims based on the Chung published application should be withdrawn.

It should be mentioned that Chung provisional application No. 60/248,454 filed November 14, 2000 did briefly discuss using RFID tags in dispensing medicine to a patient on pages 8-10 of that application. This is the only disclosure by a Chung application found before January 5, 2001. A copy of those pages is enclosed (as Exhibit A), and it is clear that the disclosure therein is completely insufficient to obviate the patentability of any of the present claims.

Interestingly, Chung met with a principal of the assignee of this application in June 2002 at which time Chung was provided with all of the then-existing information about the system and methods of the present application.

In view of the foregoing, favorable reconsideration and allowance of the present claims is requested.

A Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge Orrick's Deposit Account No. 15-0665 for any fees necessary in connection with this response.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated:

8/15/06

By:

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